



STATE OF MICHIGAN

DEPARTMENT OF HEALTH AND HUMAN SERVICES  
LANSING

GRETCHEN WHITMER  
GOVERNOR

ROBERT GORDON  
DIRECTOR

February 14, 2019

Alice Huling  
611 Pennsylvania Ave. SE #337  
Washington DC, 20003  
[ahuling@campaignforaccountability.org](mailto:ahuling@campaignforaccountability.org)

*Via email to [ahuling@campaignforaccountability.org](mailto:ahuling@campaignforaccountability.org)*

**RE: FOIA Request 2019-1913 Huling**

Dear Ms. Huling:

This notice is issued in response to your request, legally received by the Michigan Department of Health and Human Services (Department) on January 29, 2019, requesting information under the Freedom of Information Act (FOIA), MCL 15.231 *et seq.*

Your request is denied.

To the best of the Department's knowledge, information, and belief, this Department does not possess or maintain records under the description you provided or by other names reasonably known to the Department. Specifically, Real Alternatives has not submitted any Audit Status Notification Letters, Audit Exemption Notices, or Financial Statement Audit Reports to the Michigan Department of Health and Human Services, or its predecessor, the Michigan Department of Community Health for the time period January 1, 2014 to present. The Grant Agreement that commenced October 1, 2013 and extended until September 30, 2017 contained audit submission requirements in Part II, Section G., but those were only applicable to Contractors designated as subrecipients (specifically stated in the agreement). The grant agreement for Real Alternatives that commenced October 1, 2013 and extended until September 30, 2017 was not designated as a subrecipient. Accordingly, the items requested in the FOIA Request were not collected by MDHHS. For the subsequent Grant Agreements with Real Alternatives, one for October 1, 2017 through September 30, 2018 and one for October 1, 2018 through September 30, 2019, the designation is a Subrecipient relationship. Accordingly, the audit and exemption notice requirements contained in Part II, Section G. Audits apply. The submissions are due 9 months after Real Alternative's fiscal year ends. Accordingly, MDHHS expects a submission related to Real Alternatives fiscal year end of June 30, 2018 by March 31, 2019, and nothing has been received to date.

As to the denial, the Department is obligated to inform you that under MCL 15.240 §10 the following remedies are available:

1. Appeal this decision in writing to the Legal Affairs Administration of the Department of Health and Human Services, PO Box 30195, Lansing, MI 48909. The writing must specifically state the word “appeal” and must identify the reason or reasons you believe the denial should be reversed. The Department must respond to your appeal within ten days of receipt. Under unusual circumstances, the time for response to your appeal may be extended by ten business days.
2. File an action in the appropriate court within 180 days after the date of the final determination to deny the request. If you prevail in such an action, the court is to award reasonable attorney fees, costs, disbursements, and possible damages.

The Department’s FOIA policies and procedures are available at <http://www.michigan.gov/mdhhs/0,5885,7-339-72666-357860--,00.html>.

Sincerely,

/s/Kristen Pryor

Kristen Pryor,  
Bureau of Legal Affairs